

REMARKS

Summary of the Office Action

The Office Action reject claims 26, 28, 30, 32, 34, and 38 under 35 U.S.C. § 251 as being improperly broadened in a reissue application made and sworn to by the assignee and not the patentee.

The Office Action rejects claims 26-37, 39, and 41 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement.

Summary of the Response to the Office Action

Applicants amend claims 27, 35, and 37. Applicants further cancel claims 26, 28, 30, 32, 34, and 36. Applicants respectfully submit that claims 27, 29, 31, 33, 35, 37, 39, and 41 are allowable.

All Pending Subject Matter Complies with 35 U.S.C. § 251

The Office Action rejects claims 26, 28, 30, 32, 34, and 38 under 35 U.S.C. § 251 as being improperly broadened in a reissue application made and sworn to by the assignee and not the patentee. Applicants cancel claims 26, 28, 30, 32, 34, and 38, thus rendering this rejection moot.

All Pending Subject Matter Complies with 35 U.S.C. § 112, first paragraph

The Office Action rejects claims 26-37, 39, and 41 under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. With respect to claims 26, 28, 30, 32, 34, and 38, the rejection is rendered moot as these claims have been cancelled.

Applicants amend claims 27, 35, and 37 to recite “an Ir-based alloy including Rh in an amount ranging from over 10wt% to 25wt% . . .” Support for the claimed range is found in col. 2, line 55 through col. 3, line 30 of U.S. Patent No. 5,793,793 from which this reissue application depends. Therefore, the allegation that claims 27, 29, 31, 33, 35, 37, 39 and 41 are outside the range claimed in amended independent claim 27 is without merit. Accordingly, Applicants respectfully request that the rejections of claims 27, 29, 31, 33, 35, 37, 39 and 41 be withdrawn.

CONCLUSION

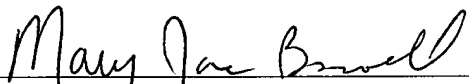
In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Office Action feel that there are any issues outstanding after consideration of the Response, the Office Action is invited to contact the Applicants' undersigned representative to expedite prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: July 10, 2008

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